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#1

**CERTIFICATE OF AMENDMENT OF BYLAWS OF ROYAL-TEE HOMEOWNERS  
ASSOCIATION, INC.**

THE UNDERSIGNED being the President and the Secretary of ROYAL-TEE HOMEOWNERS ASSOCIATION, INC., a Florida non-profit corporation, do hereby certify that the attached Amendments to the Bylaws of Royal-Tee Homeowners Association, Inc., originally recorded with the Declaration of Covenants, Conditions and Restrictions of Royal-Tee Homeowners Association, Inc., recorded in O.R. Book 2176, Page 4645 et seq. of the Public Records of Lee County, Florida, were duly approved, adopted and enacted by the affirmative vote of the proper percentage of each class of members voting at a special members meeting called for that purpose at which a quorum was present held on the 18<sup>th</sup> day of October, 2007.

Dated this 15 day of November, 2007.

WITNESSES:

(Sign)

(Print)

(Sign)

(Print)

ROYAL-TEE HOMEOWNERS  
ASSOCIATION, INC.

BY:

President of the Association

ED HARRINGTON (Print Name)

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 15 day of November, 2007 by Ed Harrington, as President of ROYAL-TEE HOMEOWNERS ASSOCIATION, INC., a Florida non-profit corporation, on behalf of said corporation. Said person is personally known to me or has produced \_\_\_\_\_ as identification and did take an oath.

NOTARY PUBLIC:

STATE OF FLORIDA (SEAL)

My Commission Expires:

NOTARY PUBLIC-STATE OF FLORIDA  
Charles Toth  
Commission # DD610115  
Expires: DEC. 12, 2010  
BONDED THRU ATLANTIC BONDING CO., INC.

**WITNESSES:**

(Sign) *[Signature]*

(Print) Charles Toth

(Sign) *[Signature]*

(Print) ELAINE MITCHELL

**ROYAL-TEE HOMEOWNERS  
ASSOCIATION, INC.**

BY: *[Signature]*  
**Secretary of the Association (Seal)**  
PHYLLIS MILLS (Print Name)

**STATE OF FLORIDA  
COUNTY OF LEE**

The foregoing instrument was acknowledged before me this 15 day of November, 2007 by Phyllis Mills, as Secretary of ROYAL-TEE HOMEOWNERS ASSOCIATION, INC., a Florida non-profit corporation, on behalf of said corporation. Said person is personally known to me or has produced \_\_\_\_\_ as identification and did take an oath.

**NOTARY PUBLIC:**

*[Signature]*  
STATE OF FLORIDA (SEAL)  
My Commission Expires:

NOTARY PUBLIC-STATE OF FLORIDA  
Charles Toth  
Commission # DD610115  
Expires: DEC. 12, 2010  
BONDED THRU ATLANTIC BONDING CO., INC.

**PROPOSED AMENDMENTS TO BY-LAWS OF ROYAL TEE  
HOMEOWNERS ASSOCIATION, INC.**

**NOTE:** New language added is underlined and language deleted is struck through.

The By-Laws shall be amended as follows:

**AMENDMENT #1 FINES AND SUSPENSIONS**

**ARTICLE VII**

**BOARD OF DIRECTORS: POWERS AND DUTIES**

Section 1: Powers. Board of Directors shall have the powers to:

\*\*\*Sections a), b), c), and d) are unchanged\*\*\*

e) Fines: Suspensions. The Board of Directors may levy fines and/or suspensions against members, or members' tenants or guests, or both, who commit violations of Chapter 720, Florida Statutes, the provisions of the governing documents, or rules and regulations, or who condone such violations by their family members, guests or lessees or who fail to pay assessments or other charges. Fines shall be in the amounts deemed necessary by the Board to deter future violations, but in no event shall single fine exceed the maximum amount allowed by law, currently \$100.00. A fine may be levied on the basis of each day of a continuing violation, and except as provided in Section 3) below, with a single notice and an opportunity for a hearing. The maximum accrued fine for a continuing violation shall be \$2500.00. Suspensions of the use of common areas and facilities may be imposed for a reasonable period of time to deter future violations. The procedure for imposing fines or suspending use rights shall be as follows:

1) Notice. The party against whom the fine and/or suspension is sought to be levied or imposed shall, except as provided in Section 3) below, be afforded an opportunity for a hearing after reasonable notice of not less than fourteen(14) days, and the notice shall include:

i.) a statement of the date, time and place of the hearing;

ii) a specific designation of the provisions of Chapter 720, Florida Statutes, the governing documents or rules which are alleged to have been violated;

iii) a short and plain statement of the specific facts giving rise to the alleged violation(s); and

iv) the possible amounts of any proposed fine and/or possible use rights of common areas or facilities to be suspended.

(over)

2) Hearing. At the hearing the party against whom the fine and/or suspension may be levied shall have a reasonable opportunity to respond, to present evidence, and to provide written and oral argument on all issues involved, and to review, challenge, and respond to any evidence or testimony presented by the Association. The hearing shall be conducted before a panel of three (3) residential Lot owners, appointed by the Board, none of them who may then be serving as Directors or officers, or who are employees of the Association, or the spouse, parent, child, brother or sister of an officer, director or employee. If the committee, by a majority vote, does not agree with the proposed fine and/or suspensions, it may not be levied or proposed. If the committee agrees with the proposed fine and/or suspensions, the Board of Directors shall levy same.

3) Suspensions and Fines without Hearing. The foregoing notwithstanding, as provided in Section 720.305(2)(b), Florida Statutes, no prior notice or opportunity for a hearing shall be required for the imposition of a fine or suspension upon any member because of the failure of the member to pay assessments or other charges when due.

4) Collection of Fines. Any fine not paid within thirty days (30) days shall become delinquent. The fine shall be a personal obligation of the person fined. The fine may be collected utilizing all lawful methods.

5) Correction of Health and Safety Hazards. Any violations of the Association rules which creates conditions of the property which is deemed by the Board of Directors to be a hazard to the public health and safety may be dealt with immediately as an emergency matter by the Association, and the cost shall be charged to the residential unit owner.

## **AMENDMENT # 2 DIRECTOR MUST BE A MEMBER**

### **ARTICLE IV**

#### **BOARD OF DIRECTORS: TERM OF OFFICE: REMOVAL:**

Section 1: Number. The affairs of the Association shall be managed by not less than three (3) or more than nine (9) directors, who need ~~not~~ be members of the Association.